

Griffin, Etelka

(69)

105/36

108729

From: STIC-EIC3600
Sent: Thursday, November 20, 2003 11:29 AM
To: Griffin, Etelka
Subject: FW: Generic form response

-----Original Message-----

From: Unknown@Unknown.com [mailto:Unknown@Unknown.com]
Sent: Thursday, November 20, 2003 11:05 AM
To: STIC-EIC3600
Subject: Generic form response

ResponseHeader=Commercial Database Search Request

AccessDB#= _____

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MyDate=Thu Nov 20 11:05:11 GMT-0500 (Eastern Standard Time) 2003

submitto=STIC-EIC3600@uspto.gov

Name=jim zurita

Empno=78521

Phone=703-605-4966

Artunit=3625

Office=CPK5/7B25

Serialnum=09/624732

PatClass=

Earliest=02/11/2000

Format1=paper

Format3=email

Searchtopic=search on weslaw, lexis

(a) find SEC filings 1997-1999 with following information:
Claremont Investment Partners,
Industry Leaders Fund,
Gerald P. Sullivan.

(b) search SEC filings 1997-1999 with following words, boolean, /proximity operators:
mutual fund(s) stock(s) allocation, allocate, by industry, percent investment, universe
total, industry total, etc.
after text search - ## items retrieved, etc.

plz call me before you do search -

I need to use key fields available prior to 02/11/1999 and 02/11/2000

thanks. jimz.

Comments=

send=SEND

11 Hanover Square, 19th Floor
New York, NY 10005
Tel. 212 509 6060
Fax 212-509-9559



Exhibit

WUERSCH & GERING LLP
ATTORNEYS AT LAW

To: Gerry Sullivan
Claremont Investment Partners LLC

From: Travis L. Gering

Date: June 10, 2003

Re: Results of Web Searches

Search Term	Findlaw Search Engine	SEC EDGAR Search Engine	LEXIS [®] NEXIS Search Engine	WESTLAW Search Engine
mutual	7,730,000		3,528 In Excess of 3,000 (Exact number of hits not provided above 3,000)	[Same General Web Hits as Findlaw; no searches in case law]
funds	21,500,000		8,526 In Excess of 3,000 (Exact number of hits not provided above 3,000)	[Same General Web Hits as Findlaw; no searches in case law]
allocation	5,750,000		1,891 In Excess of 3,000 (Exact number of hits not provided above 3,000)	[Same General Web Hits as Findlaw; no searches in case law]
allocate	2010,000		1,891 In Excess of 3,000 (Exact number of hits not provided above 3,000)	[Same General Web Hits as Findlaw; no searches in case law]
industry	46,900,000		6,107 In Excess of 3,000 (Exact number of hits not provided above 3,000)	[Same General Web Hits as Findlaw; no searches in case law]
percent	26,800,000		2,491 In Excess of 3,000 (Exact number of hits not provided above 3,000)	[Same General Web Hits as Findlaw; no searches in case law]

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6/9/1 (Item 1 from file: 9)

02261569 (THIS IS THE FULLTEXT)

Claremont to manage new value fund

(Claremont Investment Partners to manage The Industry Leaders Fund; fund uses proprietary method to pick stocks from companies that have the highest book value in each industry)

Mutual Fund Market News , v VI , n 37 , p 20

September 21, 1998

Document Type: Newsletter (United States)

Language: English Record Type: Fulltext

Word Count: 272

TEXT:

Claremont Investment Partners is the investment adviser to a new value fund called The Industry Leaders Fund.

The Industry Leaders Fund uses a proprietary method to pick stocks from companies that have the highest book value in each industry. The model, the Industry Leaders Strategy Model, uses stocks chosen from the various industries listed in the Value Line Investment Survey.

According to the fund prospectus, the fund will be comprised of approximately 90 to 115 stocks, mostly domestic. Not more than 14 percent of the portfolio will be in any one industry and not more than 3 percent will be in any one company. The fund will be sold direct and through advisers.

Claremont Investment Partners is located in Summit, N.J. and has been developing the its strategic model since 1996. It has never managed a mutual fund before.

Portfolio managers are Gerald P. Sullivan and Barry F. Sullivan. Gerald Sullivan, 38, is president of the fund and was previously a vice president of First Fidelity Bancorporation and a managing director of Hilliard Farber & Co.

Barry Sullivan, 67, CEO of the fund, is currently vice chairman of Sithe Energies, Inc. He currently serves on the board of directors of Merrill Lynch International Bank and The Guardian Life Insurance Co. of America and has served

as chairman and CEO of First Chicago Corp. He was also deputy mayor of the City of New York from 1992 to 1993.

Funds Distributor, Inc. is the fund's distributor. BISYS Fund Services Ohio, Inc. is acting as the fund's administrator, transfer agent and fund accounting agent. Wuersch & Gering is providing legal counsel to the fund.

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Company Names: CLAREMONT INVESTMENT PARTNERS

Product Names: Mutual fund investment companies (672200)

Concept Terms: All product and service information; Product introduction

Geographic Names: North America (NOAX); United States (USA)

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FAX 9/20/02

item 5

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8/29/01 4:25 PM


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industry leaders**Search****1998****1999****Simple**(e.g., "health and life") See [Search Help](#)
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No.	Company	Format	Form Type	Filing Date	Size
1	INDUSTRY LEADERS FUND	[text] [html]	485APOS	10/29/1999	1125
2	INDUSTRY LEADERS FUND	[text] [html]	497	10/08/1999	1115
3	INDUSTRY LEADERS FUND	[text] [html]	24F-2NT	09/27/1999	1149
4	INDUSTRY LEADERS FUND	[text] [html]	NSAR-B	09/14/1999	1149
5	INDUSTRY LEADERS FUND	[text] [html]	N-30D	08/31/1999	1147
6	INDUSTRY LEADERS FUND	[text] [html]	NT-NSAR	08/27/1999	1149
7	INDUSTRY LEADERS FUND	[text] [html]	DEF 14A	07/20/1999	1151
8	INDUSTRY LEADERS FUND	[text] [html]	PRE 14A	07/09/1999	1151
9	INDUSTRY LEADERS FUND	[text]	497	03/12/1999	1112
10	INDUSTRY LEADERS FUND	[text]	N-1A/A	03/04/1999	1269
11	INDUSTRY LEADERS FUND	[text]	N-1A/A	12/04/1998	1268
12	INDUSTRY LEADERS FUND	[text]	N-1A	09/04/1998	1280
13	INDUSTRY LEADERS FUND	[text]	N-8A	09/04/1998	1130

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Industry Leaders Fund · N-1A/A · On 12/4/98

SEC Files 333-62893, 811-08989 · Accession Number 950130-98-5798

<u>As Of</u>	<u>Filer</u>	<u>Filing</u>	<u>On/For/As</u>	<u>Ds:Ps</u>
12/04/98	Industry Leaders Fund	N-1A/A		1:68

Pre-Effective Amendment to Registration Statement of an Open-End Management Investment Company · Form N-1A Filing Table of Contents

<u>Document/Exhibit</u>	<u>Description</u>	<u>Pages</u>	<u>Bytes</u>
1: <u>N-1A/A</u>	Industry Leaders Fund	68	271k

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"	<u>Principal Investment Objectives</u>	• <u>Additional Dividend And Distribution Information</u>	
"	<u>Investment Strategy</u>	• <u>Additional Purchase and Redemption Information</u>	
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"	<u>Instruments in which the Fund Can Invest</u>	• <u>Dividends Received Deduction</u>	
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34 Filings · [List the Documents within these Filings](#)

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8/29/01	Industry Leaders Fund	N-30D	6/30/01	1:21
8/28/01	Industry Leaders Fund	NSAR-B	6/30/01	2:9
8/08/01	Industry Leaders Fund	497		1:11
7/13/01	Industry Leaders Fund	497		1:11
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10/30/00	Industry Leaders Fund	485BPOS	10/30/00	3:46
9/15/00	Industry Leaders Fund	24F-2NT	6/30/00	1:1
9/15/00	Industry Leaders Fund	NSAR-B	6/30/00	4:14
8/31/00	Industry Leaders Fund	485APOS		3:44
8/31/00	Industry Leaders Fund	N-30D	6/30/00	1:9
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3/08/00	Industry Leaders Fund	N-30D	12/31/99	1:20
3/08/00	Industry Leaders Fund	NSAR-A	12/31/99	3:12
2/28/00	Industry Leaders Fund	NT-NSAR	12/31/99	1:3
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9/04/98	Industry Leaders Fund	N-8A		1:2
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3/31/97	Industry Leaders Fund	N-8A		1:3

For 9/20/02

item c

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132 34. (Amended) The method of claim 30, wherein there is included the step of determining the amount of the industry allocation for a selected one industry group as dependent on the amount of said universe total.

133 37. (Amended) The method of claim 35, wherein there is further included the step of reiteratively comparing said industry allocation of said one industry group with at least first and second limits, said second limit being greater than said first limit; if said industry allocation of said one industry group is greater than said first limit, allocating said industry allocation of said one industry group among a first number of securities of said one [utility] industry group; and if said industry allocation of said one industry group is greater than said second limit, allocating said industry allocation of said one industry group among a second number of securities of said one industry group, said second number being greater than said first number.

134 40. (Amended) A method of allocating an investment among a population of securities, each security having at least one corresponding updatable data element, said method comprising the steps of:

- a) assigning each security of said population to a corresponding industry group of a plurality of industry groups;
 - b) summing said data element of each security of said population to provide an industry total of the data element for each of said corresponding industry groups and an universe total of the data elements of each security of said population;
 - c) allocating an industry allocation [to each] to each industry group of said plurality; and
 - d) repeat step a) of assigning at selected times to accurately account for those securities which has changed their industry.
-

135 42. (Amended) A method of allocating an investment among a population of securities, each security of said population having at least one corresponding data element, said method comprising the steps of:

- a) assigning each security of said population to a corresponding one industry group of a plurality of industry groups;
- b) summing said data element of each security of said one industry group to provide an industry total of the data elements of said one industry group;
- c) allocating an industry allocation to a plurality of securities of said one industry group; and
- B5* d) determining whether said data element of one of said plurality of securities of said one industry group is greater than said data element of another of said plurality of securities of said one industry group by a predetermined amount and, if not, allocating said industry allocation [substantially] equally to said one and said other securities of said one industry group.

43. (Amended) The method of claim 42, wherein if said data element of said one security is greater than said data element of said other security of said one industry group by more than said predetermined amount, allocating said allocation only [in the greater of] to said one and said other securities with the greater data element.

B6 47. (Amended) A method of allocating an investment among a population of securities, each security having at least one corresponding data element, said method comprising the steps of:

- a) assigning each security of said population to a corresponding one industry group of a plurality of industry groups;
- b) summing said [date] data element of each security of said population to provide an industry total of the data elements of each of said corresponding industry groups of said plurality and a universe total of the data elements of each security of said population; [and]
- c) dividing selectively an industry allocation into at least first and second parts;
- d) allocating said first and second parts selectively among two of said corresponding securities of said one industry group having the largest data elements; and